

## Region 1

### Hot Topics

#### **Ozone Season Wraps Up in New England**

On October 2, R1 issued the End of the Ozone Season press release. This summer, there were 24 poor air quality days in R1, slightly fewer than last summer. With 21 of the 24 days in Connecticut, Connecticut continues to measure the poorest air quality days in New England. Based on a preliminary design value of 0.082 parts per million (ppm), the CT-NY-NJ nonattainment area continues to violate the 2008 and 2015 ozone standards of 0.075 ppm and 0.070 ppm, respectively. In New England, the ozone season runs through September 30.

#### **Region 1 Kicks Off 5.8 MW Solar Array Project on Nyanza Chemical Waste Dump Superfund Site**

R1 and the Massachusetts Department of Environmental Protection (MassDEP) issued a Notice to Proceed to Citizens Energy for the Ashland Solar project. The project consists of a 5.8 MW ground-mount photovoltaic solar array, a majority of which will reside directly on the Nyanza site landfill cap. An additional (second) array will reside off-Site on land located directly southeast of the landfill.

#### **Grocery Stewardship Energy Challenge Pilot**

On September 25, R1 launched the Grocery Stewardship Energy Challenge pilot with four stores in conjunction with the Massachusetts Food Association's Sustainability Committee. The Challenge allows store associates to locate and report on energy saving practices using their smart phones during one-week in October. An R1 Healthy Communities grant is funding the Manomet Center to develop and manage the Challenge.

#### **Region 1 Continues to Make Progress on Centredale Manor Superfund Site in Rhode Island**

On September 25, Administrator Wheeler signed the Explanation of Significant Differences for this site. On September 30, EPA approved the 100% Design for the Source Area remedy (the first phase of the overall \$100 million cleanup). Remedial Actions (consisting of installation of the clean utility corridor) will begin in the next few weeks.

#### **EPA Provides MS4 Stormwater Assistance in Massachusetts**

On September 30, R1 and MassDEP provided technical assistance to over 400 New England contacts through electronic publication of the September 2019 Massachusetts Stormwater News titled, "Communities in Action: Stormwater Spotlight." This special edition profiled work that Massachusetts communities are doing related to financing, outfall mapping, and creative approaches to support water quality and reduce nutrient pollution.

### Upcoming Major Decisions and Events

#### **Congresswoman Ann McLane Kuster Federal Funding Workshop in New Hampshire**

On October 9, EPA will participate on a panel discussion, Q&A session, and networking event at the request of Congresswoman Kuster in the Opportunity Zone of Keene, NH. Communities in the Southwest Region of New Hampshire will be in attendance. Information will be provided on cleanup and redevelopment funding opportunities. Several other agencies will be in attendance including Northern Border Regional Commission, US Dept. of Economic and Rural Development, Housing and Urban Development, Community Development Finance Authority, and New Hampshire Department of Business & Economic Affairs.

#### **Elizabeth Mine Tour with U.S. Army Corps of Engineers**

On October 8, RA Deziel will conduct site visits at both the Ely Copper Mine and Elizabeth Mine. At the conclusion of the site visit at Elizabeth Mine, EPA will greet leadership from the U.S. Army Corps of Engineers, including Major General Milhorn, Commander of the North Atlantic Division.

## Region 2

### Hot Topics

#### **Puerto Rico Oversight Board Files Plan of Adjustment to Restructure Debts**

On September 27, the Financial Oversight and Management Board (FOMB) for Puerto Rico filed in U.S. District Court a proposed Plan of Adjustment under Title III of PROMESA, providing a framework to reduce the Commonwealth of Puerto Rico's debt to sustainable levels. The Plan restructures general obligation bonds, Public Building Administration (PBA) bonds, Employee Retirement System (ERS) bonds, the Commonwealth's pension liabilities and general unsecured claims against the Commonwealth, PBA, and ERS. The filing of the proposed Plan of Adjustment, which is subject to the review and approval of Judge Laura Taylor Swain, begins the process of exiting bankruptcy and restoring future capital market access, as mandated under PROMESA. Before filing the Plan, the FOMB reached agreements with key stakeholders, including a statutory committee of retirees, to support the plan.

#### **Saint Gobain-Performance Plastics Superfund Site, Hoosick Falls, NY**

On September 25, the local CPWG group held a meeting that included presentations by NYSDEC and NYSDOH. During the meeting, NYSDEC provided an overview of their planned regional air deposition study, which is scheduled to get underway in early October and will continue through fall/winter. NYSDEC also provided a status update on the various Hoosick sites (McCaffrey Street, Liberty Street, John Street, Municipal Landfill, River Road, Mechanic Street, First Street, Former Dodge Machine, Interface Solutions, Schmigel & Columbia). NYSDOH discussed the \$1 million that has been awarded to DOH by ATSDR/CDC for the multi-state PFAS study. They are targeting 1,000 adults and 300 children from the Hoosick area. As a next step they will form an advisory group for the study and will communicate with the CPWG on that effort. NYSDEC discussed the release of the alternate water supply study report and anticipates having a 30-day public comment period. The group suggested NYSDEC hold the public meeting on October 23, the next CPWG meeting date. RA Lopez is scheduled to participate in the October 23 CPWG meeting to respond to questions about EPA's actions on a national level to address PFAS.

#### **Equinor Wind US Proposes Wind Project Offshore New York and New Jersey**

On September 24, R2 met with Equinor Wind for an update on its wind farm project (WFP) off the coast of NY and NJ. The multi-phase WFP will be located on over 79,350 acres of leased area, about 14 miles south-southeast of Jones Beach, NY, and 19.5 miles east of Sea Bright, NJ. The three phases of the WFP are expected to generate a total of 2,400 MW. For phase 1, Equinor was awarded a contract for 816 MW by NYS in July, to be supplied to NYC through the Gowanus, Brooklyn substation, as the proposed point of interconnection. Phase 1 is expected to begin construction between 2022 and 2024 and is expected to be operational between 2024 and 2028. While currently there are no contracts for the power from phases 2 and 3, Equinor is actively pursuing such contracts from both NY and NJ. It is estimated that the construction of each of the three phases may take between two and four years. In R2, air permits on the Outer Continental Shelf (OCS) are issued by ARD. However, ARD is working with NJDEP on its pending request for delegation of the OCS program. NYSDEC has also expressed an interest in delegation.

#### **RA Lopez Featured Guest on New Jersey State Senator Ronald Rice's Cable TV Show**

On October 2, RA Lopez traveled to Newark, NJ, to appear as the featured guest on State Senator Ronald Rice's cable show, "From Trenton to You." The interview format program included a discussion of Newark's drinking water and the cleanup of the Passaic River.

**Shinnecock Nation Shellfish Initiative:** R2 is working with the Small Business Administration (SBA) to consult on possible assistance to the Shinnecock Nation on potential development of a business model for a shellfish initiative. SBA and R2 will explore options and will raise the shellfish initiative at an upcoming meeting with the Shinnecock later in October.

**Upcoming Major Decisions and Events**

**AA Anne Idsal to Visit R2**

R2 is preparing for OAR AA Anne Idsal's visit to R2 on October 29. R2 is coordinating with AA Idsal's staff on the agenda for the visit. Part of the visit will include a meeting between AA Idsal and RA Lopez.

**Trout in the Classroom**

On October 10, R2 staff will participate at the annual Trout in the Classroom conference sponsored by Trout Unlimited. The conference, held at the FDR Library in Hyde Park, NY, is an educational conference for teachers from around New York State. The Trout in the Classroom program encourages teachers and students to raise trout throughout the school year and release the fish into the Croton watershed.

**Annual NYC Watershed Agricultural Council (WAC) Farm Tour**

The Annual WAC Farm Tour is scheduled in Walton, NY on October 17. The tour will visit farms in Walton, Hobart, and Andes and will highlight the best management practices used on each farm to keep the pathogens and nutrients generated by the farm out of the NYC water supply.

## Region 3

### Hot Topics

#### **EPA Redesignates Delaware and Lebanon Counties to Attainment for 2012 Particulate Matter Standard**

On September 30, EPA issued its final approval of Pennsylvania's requests to redesignate the Delaware County and Lebanon County nonattainment areas (the Delaware and Lebanon Areas or Areas) to attainment for 2012 fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS). The final rule also approves Pennsylvania's state implementation plan (SIP) revisions to ensure that the Areas continue to meet the 2012 PM<sub>2.5</sub> NAAQS through 2030 (maintenance plans). Pennsylvania is subject to a finding of failure to submit for nonattainment new source review (NNSR) updates for the 2012 annual PM<sub>2.5</sub> NAAQS for the Areas, with a sanctions clock set to expire on November 7. The effect of this final action, upon its October 30 effective date, is to change the designation status of the Delaware and Lebanon Areas from nonattainment to attainment for the 2012 annual PM<sub>2.5</sub> NAAQS, thereby removing the requirement for NNSR in the Areas and stopping the associated sanctions clock.

#### **EPA Approves Maryland's Infrastructure SIP for the 2015 Ozone NAAQS**

On September 18, EPA published a final rule approving Maryland's infrastructure state implementation plan (SIP) submittal for the 2015 ozone national ambient air standards (NAAQS). The plan is required to address basic program elements, including, but not limited to regulatory structure, monitoring, modeling, legal authority, and adequate resources necessary to assure attainment and maintenance of the standards. These elements are referred to as infrastructure requirements. EPA received Maryland's formal submittal to address the infrastructure requirements for the 2015 ozone NAAQS on October 11, 2018, and proposed approval of Maryland's SIP submittal on April 24 (84 FR 17125). This final rule does not act on the infrastructure elements relating to the interstate transport good neighbor provision since they were not part of the State's submittal.

#### **\$51.1 Million Awarded to Fund Drinking Water Improvement Projects in Virginia**

On September 20, the Virginia Department of Health (VDH) received its FY 2019 Drinking Water State Revolving Fund (DWSRF) award including \$17,954,000 in Federal funds and \$3,590,800 million in state match. This grant further capitalizes VDH's DWSRF program and will be combined with repayments from prior loans and interest earnings on fund deposits. The program provides low interest loans for water system improvement projects including construction of drinking water treatment facilities, storage water tanks, and water distribution mains.

#### **\$20.2 Million Awarded to Fund Drinking Water Improvement Projects in West Virginia**

On September 20, the West Virginia Department of Health & Human Resources (WVDHHR) received its FY 2019 Drinking Water State Revolving Fund (DWSRF) award including \$11,007,076 in Federal funds and \$2,200,800 million in state match. This grant further capitalizes WVDHHR's DWSRF program and will be combined with repayments from prior loans and interest earnings on fund deposits. The program provides low interest loans for water system improvement projects including the construction of drinking water treatment facilities, storage water tanks, and water distribution mains.

#### **West Virginia PWSS Annual Primacy Review**

EPA completed its annual primacy review for West Virginia implementation of the Public Water System Supervision (PWSS) Program and will forward the draft report for West Virginia review and comment prior to finalization. While EPA finds that West Virginia should retain primacy enforcement responsibility for the implementation of approved National Primary Drinking Water Regulations, three areas of concern were identified, namely, the high rate of staff vacancies in critical areas, consistency of sanitary surveys, and an almost 90% increase in health-based violations since 2013. EPA has discussed these issues with WVDHHR over the last several months and is requesting a meeting with the agency to develop a strategy to address these areas of concern. The increase in health-based violations was noted in a press release on September 24 by the Natural Resources Defense Council, Coming Clean, and the Environmental Justice Health Alliance for the release of their report "[Watered Down Justice](#)," which ranked 36 of WV's 55 counties among the top third worst-offending U.S. counties.

### **Philadelphia Council Passes Lead Safety Bill**

On September 26, Philadelphia's City Council voted 16-0 to approve a bill aimed at ensuring children are not exposed to lead in rental housing. The bill, which will require landlords to test all rental housing for lead every four years, fixes enforcement problems with a law Council passed in 2011 that only required testing for units with families who had children six years old or younger. The new bill, which Mayor Jim Kenney supports, goes into effect in October 2020.

### **Upcoming Major Decisions and Events**

Regional Administrator Cosmo Servidio has the following events scheduled:

- October 8      OECA Visit to R3
- October 10     PA Aggregate and Concrete Association Smart Sector Event  
                         Hershey, PA
- October 10     (Proposed) Lead and Copper Rule Rollout – York, PA

**Region 4****Hot Topics****Ethylene Oxide in Atlanta**

The Sterigenics facility in Cobb County has completed installation of control equipment and plans to restart operations once GA EPD issues the permit to allow the facility to begin operating again. The facility is also under review by the Cobb County Fire Department to ensure compliance with the current fire code. GA EPD has started monitoring around the Cobb County facility and will begin monitoring around the Becton Dickinson Covington facility next week.

**Center for Biological Diversity (CBD) Petition on NC Title V Program**

CBD filed a complaint that NC's program (reauthorization submitted July 10) does not contain the 18-month permit issuance requirement. A related NOI from CBD (received September 25) alleges non-compliance at the coal fired power plant at UNC Chapel Hill.

**Southeast Diesel Collaborative (SEDC) Annual Partners Meeting (Chattanooga, TN):**

From September 24 to 26, R4 held the annual SEDC Partners Meeting with over 65 partners from state and local governments, industry, and other stakeholders. The theme focused on *Freight Movement and the Whole Supply Chain*. Since 2008, EPA has invested over \$104M in the southeast. Our partners have invested another \$250M, which translates into reductions of 38K tpy CO<sub>2</sub> and 1919 tpy NO<sub>x</sub>.

**Oak Ridge Reservation (USDOE; Oak Ridge, TN)**

On the EMDF dispute, EPA HQ expects to share questions with DOE later this week. On the EMDF ROD, R4 and TN finalized the ROD language that describes the path forward for DOE, including landfill siting requirements, and transmitted to DOE on September 24. DOE notified EPA via email that an extension will be submitted to delay submission of the D1 ROD until October 31. EPA is awaiting receipt of the written extension request to review and evaluate the justification used to delay the September 30 milestone.

**Able Contracting Fire (Jasper County, SC)**

To date, EPA has excavated and transported over 6,000 tons of fire debris as work continues to minimize the likelihood of the fire reigniting. All displaced residents have moved back to their residences. EPA plans to transition from Unified Command on October 15 and is coordinating with the South Carolina Department of Health and Environmental Control on a press release announcing the transition.

**Upcoming Major Decisions and Events**

October 8	RA Walker will present at Metro Atlanta Chamber Roundtable in Atlanta, GA. Closed Press.
October 10	RA Walker will provide the keynote address at the 2019 Mississippi Manufacturers Association Environmental and Safety Conference in Philadelphia, MS. Open Press.
October 10	RA Walker will hold a Children's Environmental Health press event. Montgomery, AL. Open Press.

## Region 5

### Hot Topics

#### **R5 Supporting Opportunity Zone Revitalization in Northeast Ohio**

R5 facilitated a White House Opportunity and Revitalization Council meeting on September 25 between federal representatives and Canton, Ohio-area officials to discuss Opportunity Zone redevelopment. The R5 federal team comprising HUD, EPA, DOL, EDA, and SBA was able to listen and respond to the city's and county's priorities for the Southeast Canton neighborhood as well as the county's regional job centers. The conversation allowed the city and county officials to explore which funding options seemed most promising among the many programs targeted for Opportunity Zones.

#### **Harmful Algal Bloom on the Ohio River**

Ohio River Valley Water Sanitation Commission officials report conditions continue to be very favorable for HAB activity on the river with extended warm and dry conditions. Sampling is finding microcystis colonies in the water column in many areas of the river. Very high levels at Cincinnati on September 24 lessened to non-detect by September 26. As a result of the toxin concentrations, however, river states are issuing advisories. Kentucky issued a harmful algal bloom recreational public health advisory for the Ohio River from the McAlpine Dam near Louisville to the Greenup Dam near Greenup, KY. Ohio EPA/Ohio Health Department issued some public health recreational advisories for Clermont and Brown counties. Both the Great Ohio Swim (which was postponed) in Cincinnati and an Ironman event in Louisville are scheduled for October 13. Data will continue to be collected in these areas for microcystin.

#### **Sterigenics Permanently Shutting Down Willowbrook, IL, Plant**

Sterigenics announced September 30 it will permanently close its controversial sterilization plant in Willowbrook, IL. The announcement came two weeks after Illinois EPA announced Sterigenics would get a new air permit limiting emissions to 85 pounds of EtO a year. The plant has not operated since February, when Illinois EPA cited excessive emission levels. Community activists and local, state, and federal elected officials have clamored for the plant to close for a year. The company said production would be moved to other locations because of the "unstable legislative and regulatory landscape" in Willowbrook.

#### **EPA Staffers Attend Lake County, IL, EtO Town Hall**

On October 2, Illinois State Sen. Melinda Bush hosted a town hall on ethylene oxide emissions in Lake County, IL. Illinois EPA, the Agency for Toxic Substances and Disease Registry, and Illinois Department of Public Health gave presentations. R5 staffers attended to hear the concerns raised by the community. Lake County is home to two sterilization facilities that emit ethylene oxide. Many residents hope to shut down the facilities, as happened with the Sterigenics plant in Willowbrook.

#### **EPA Awards Nearly \$6 million to Indiana University to Monitor Airborne Pollution in the Great Lakes**

EPA awarded \$5.9 million to Indiana University in Bloomington, IN, to continue the long-term monitoring of airborne pollutants in the Great Lakes. The cooperative agreement will support the Integrated Atmospheric Deposition Network (IADN) under the Great Lakes Restoration Initiative Action Plan. The award consists of incremental funding of about \$1.2 million per year over the next five years. Since the 1990s, the IADN network has taken over a million samples of PCBs, pesticides, and other toxic chemicals that land in the Great Lakes.

#### **R5 Deputy RA to lead press tour of mobile asthma care clinic**

On October 3, R5 will kick off Children's Health Month by leading a press tour of a mobile asthma care clinic in Cicero, IL. Mobile Care Chicago provides free access to specialty medical care, including for asthma, for children across Chicago. Started in 1998 by four physicians wanting to address cost and transportation – two of the most commonly cited barriers to asthma care – the program began offering free care in the highest need neighborhoods from mobile clinics in converted camper vans. In 2019, EPA awarded Mobile Care Chicago the 2019 National Environmental Leadership Award for delivering excellent environmental asthma management to improve the lives of children and families with asthma.

Upcoming Major Decisions and Events

**RA Stepp to Speak to Indiana Environmental Conference in Indianapolis Oct. 9**

RA Stepp is the luncheon keynote speaker and will talk about Agency priorities and activities in Indiana. Administrator Wheeler will be speaking at the conference earlier in the day.

**RA Stepp to Participate in Oct. 10 Lead and Copper Rule Announcement**

RA Stepp will join Administrator Wheeler and AA Ross at the event in Green Bay, Wis.



**Region 6****Hot Topics****Harris County Attorney Symposium, Houston, TX**

On October 10, R6's EJ director will present at a symposium titled "Environmental Disasters in Harris County" to bring awareness and discuss issues ranging from environmental justice to environmental enforcement. EPA's presentation will discuss environmental justice outreach and emergency response. The event is hosted by the office of Vince Ryan of Harris County Attorney's Environmental Practice Group. [Open Press](#).

**Bird Creek, Pawhuska, OK**

R6 has extended the public comment period until October 4. EPA held a public meeting and hearing on September 25, in Pawhuska, OK, on the Bird Creek UIC permit actions. Approximately 25 people attended the meeting, including representatives of the Osage Tribe, the Osage Mineral Council, landowners, Jirch and Warren-American oil companies, and a reporter from the Tulsa World.

**Lane Plating Works Superfund Site, Dallas, TX**

On September 30, the initial Community Advisory Group (CAG) meeting for the Lane Plating Works site was held at Dallas City Council Member Atkins' office. This initial meeting was not open to the public and was to determine the organization of the CAG, provide a brief update on site activities, and plan the next community meeting, anticipated for late October.

**Mosaic Fertilizer, Convent, Louisiana**

On October 2, EPA and LDEQ met with Mosaic Fertilizer at LDEQ offices in Baton Rouge, LA to discuss water balance issues considering Mosaic's decision to idle the Uncle Sam facility through mid-December. Mosaic said that idling the plant will result in a net increase in waste water inventory of around 2 million gallons/day. At the meeting, EPA let Mosaic know of EPA's intention to use RCRA imminent and substantial endangerment authority if needed to address the water balance issue to require Mosaic to take the steps necessary to avoid an offsite discharge of process wastewater. The parties also discussed the provisions of the consent decree that deal with water balance issues and Mosaic presented revised water balance information.

**Northwest Regional Airport, Denton, TX**

In October, EPA expects to post technical reports evaluating lead emissions from piston-engine aircraft. The only airport in R6 specifically mentioned as potentially having elevated levels of lead was Northwest Regional Airport in Denton County. As part of the rollout strategy, EPA will contact to the airport owner, the airport property owners association, the Texas Health Department, and local elected officials to provide a heads up the reports are coming. This is part of a national rollout because airports in other Regions were also indicated.

**Louisiana Offshore Oil Port (LOOP), LA**

On September 19, R6 received a letter from LDEQ Secretary regarding their responsibility to assure compliance with applicable air quality laws and regulations. The letter states LDEQ's current position is that jurisdiction over air permitting of LOOP's Deepwater Ports rests with LDEQ. EPA Headquarters, R6 and LDEQ will meet to discuss this matter on October 31 in Washington DC.

**Upcoming Major Decisions and Events****Arkansas Interstate Transport Requirements for the 2010 1-Hour SO<sub>2</sub> NAAQS, AR**

By October 10, EPA anticipates final action to approve the portion of Arkansas' State Implementation Plan (SIP) submittal addressing the CAA requirements pertaining to the "good neighbor" provision for the 2010 Sulfur Dioxide (SO<sub>2</sub>) National Ambient Air Quality Standard (NAAQS). The good neighbor provision requires each state's implementation plan to contain adequate provisions prohibiting emissions that will significantly contribute to nonattainment or interfere with maintenance of the 2010 SO<sub>2</sub> NAAQS in other states.

**SIP Revisions: Updates to the NSR Program Applicable Requirements, TX**

By October 25, EPA anticipates proposed approval of the February 2019 SIP submittal to update the NSR applicable requirements in the Texas SIP.

October 7	Senate Committee on Indian Affairs Field Hearing, Albuquerque, NM
October 8	Environmental Federation of Oklahoma Annual Meeting & Trade Show, Midwest City, OK
October 8	H-E-B Store Opening Event, Houston, TX
October 10	San Antonio Manufacturers Association Annual Environmental Seminar, San Antonio, TX
October 10	Lead & Copper Rule Announcement at Sac & Fox Nation, Stroud, OK
October 10	Coastal Bend Bays & Estuaries Program 20th Anniversary Celebration, Corpus Christi, TX
October 16	Air & Waste Management Association LA Section Annual Conference, Baton Rouge, LA
October 17	Arkansas Environmental Federation 2019 Annual Convention, Hot Springs, AR
October 17	Public Hearing: Proposed Policy Amendments 2012 and 2016 New Source Performance Standards for the Oil and Natural Gas Industry, Dallas, TX

**Region 7****Hot Topics****Emergency Response Actions in Missouri**

R7 completed three Superfund response actions in Missouri last week to address two drum dumps and one tanker fire on Interstate 49. R7 safely removed several drums that were dumped at a nonprofit thrift store in Kansas City, MO, which were confirmed by EPA to contain flammable volatile organics. R7 also responded to a report of two abandoned drums with unknown contents in south St. Louis, MO. The Missouri Department of Natural Resources (MDNR) was unable to respond, so R7 On-Scene Coordinators (OSCs) and the St. Louis Fire Department Haz Mat team responded to the site to sample and dispose of the drums which appeared to contain waste oil. Finally, a tanker truck fire shut down both directions of Interstate 49 near Kansas City, MO, on September 27. Approximately 2,000 gallons of gasoline and/or diesel were released from an 8,500-gallon tanker that caught fire. MDNR was unable to mobilize quickly so an R7 OSC responded and met on-site with Kansas City police, HazMat, and stormwater officials. The responsible party completed an effective clean-up operation.

**Superfund Remedial Action Completion at Garvey Elevator Site in Hastings, NE**

The remedial action was officially documented as complete at Operable Unit 1 of the Garvey Elevator Superfund site in Hastings, NE. The Garvey Elevator Superfund Site is a grain storage facility where the now-banned fumigant carbon tetrachloride was used and released, resulting in soil and groundwater contamination. EPA issued a Record of Decision in 2013 that selected remedial actions for the source area, including excavation of contaminated soils in the known area of release and on-site treatment of the soils. The Remedial Action Completion Report signed this week documents completion of excavation of soils, treatment of excavated soils by ex-situ soil vapor extraction to cleanup levels, and site restoration. EPA continues to operate and maintain the groundwater pump-and-treat and in-situ soil vapor extraction systems at the source area.

**Completion of Long-Term Response Action and Transfer of O&M at Valley Park TCE Site**

R7 completed a Long-Term Response Action (LTRA) at Operable Unit (OU) 4 of the Valley Park TCE Site and transferred Operations and Maintenance (O&M) to the state of Missouri on September 30. The Valley Park TCE Site consists of two source areas, the former Wainwright Industries and current Valley Technologies properties, and two contaminated groundwater plumes. In the past, both Wainwright Industries and Valley Technologies operated metal processing facilities that included the use of chlorinated organic compounds as degreasers and cleaning agents in the production process. OU4 of the Valley Park site addresses the groundwater contamination attributable to Valley Technologies. The cleanup remedy included installation of a pump and treat system and groundwater monitoring. The LTRA began in September 2008 and expired in September 2019. In accordance with the National Contingency Plan, EPA transferred the site from fund-lead LTRA to state lead O&M on September 30.

**Peer Review of the Kansas Corporation Commission by the Ground Water Protection Council (GWPC)**

On Sept. 27-29, staff from R7's UIC program participated in a "Peer Review" of the Kansas Corporation Commission (KCC) by staff from Ground Water Protection Council. Representatives from the Ohio and Oklahoma oil and gas programs and a representative of the Environmental Defense Fund also participated in the review. Results of the peer review highlighted similar issues to what EPA's program review had highlighted in 2017 as well as additional conversations that EPA has had with KCC after that review.

**Upcoming Major Decisions and Events****Environmental Finance Advisory Board – Biannual Public Meeting**

R7 will host a public meeting of the Environmental Finance Advisory Board (EFAB) on October 17-18. DRA Chu will provide opening remarks as the Designated Federal Officer. Anticipated agenda topics include an update from the Stormwater Financing Task Force/Workgroup, presentation of two potential charges (Opportunity Zones and Alaska Waste Backhaul), and discussion of EFAB's Standard Operating Procedures.

**Iowa Enforcement Coordination Meeting**

R7 will hold a coordination meeting with enforcement staff and attorneys of the Iowa Department of Natural Resources on October 3. Regional Counsel David Cozad will travel to Des Moines, IA, for in-person attendance. The meeting will focus on coordinating inspections and enforcement cases.

**Presentation at NDEE in Lincoln**

On October 3, Jeffery Robichaud, Director of the R7 Water Division, will speak at the Yearly Picnic/Training of the Nebraska Department of Environment and Energy about the role of monitoring in supporting the various sections of the CWA.

**Water Environment Federation (WEF) Annual Government Affairs Meeting with States and EPA**

For the last 13 years, EPA has hosted a meeting with WEF and state water program directors and staff. This year's meeting will be hosted on October 8 at the offices of Burns & McDonnell Engineers in Kansas City, MO. Each state program will lead a set of agenda topics and related discussion, and EPA will provide a regulatory update of water program and other related issues and topics identified in advance by the states.

**Children's Health Month**

October is Children's Health Month. EPA works in partnership with other federal agencies, states, tribes, local communities, non-governmental organizations, health care providers, business owners, schools, parents and grandparents to ensure that water meets protective federal standards where they live and play, reduce risks associated with chemical exposures, remediate hazardous and toxic waste sites, and more. R7 will participate in multiple events, outreach, and social media efforts to share information about the importance of children's environmental health. Each week of October will have a theme: Kick-off, Children's Health Research, Healthy Schools/Healthy Environments, and National Lead Poisoning Prevention Week. Planned activities include weekly press releases, social media messaging, interviews and community events.

## **Region 8**

### **Hot Topics**

#### **British Columbia Ministry of Environment Declines to Sign MOU with Montana DEQ**

On September, 23 EPA and USGS released recent study results showing selenium contamination in water and fish in the Kootenai River. The results received widespread national press attention. On September 27, the BC Ministry informed Montana DEQ it will not sign the MOU with MDEQ on development of site-specific selenium standards for Lake Koocanusa that was scheduled for September 30 in Vancouver. Negotiations to finalize the MOU have been ongoing for four years. This issue has been raised to the RAs in R8 and R10.

### **Upcoming Major Decisions and Events**

#### **Public Hearing on Revised UIC Permits for Proposed Dewey Burdock Uranium ISR Project**

On October 5, R8 is holding a public hearing on the revised UIC draft Class III and V permits for the proposed Dewey Burdock uranium ISR project. Similar to its initial permit actions in 2017, EPA expects to receive extensive comments from Powertech, tribal nations, and other interested stakeholders. The public comment period will close on December 9.

#### **Memorandum of Agreement on North Dakota Audit Privilege and Immunity Law**

On October 7, RA Sopkin will join the North Dakota Department of Environmental Quality (NDDEQ) in Bismarck to sign a Memorandum of Agreement to establish procedures and policies for administration of the North Dakota Audit Privilege and Immunity Law (self-audit law).

#### **Administrator's North Dakota Visit**

On October 7-8, RA Sopkin, will accompany Administrator Wheeler on his North Dakota trip and participate in several events, including a WOTUS roundtable discussion at the University of Mary, attend the Great Plains Energy Conference and Adm Wheeler and Governor Burgum IOGCC MOU signing ceremony, and meet with the Garrison Diversion Conservancy District at Sen Hoeven's request.

#### **Lead and Copper Rule Announcement**

On October 11, RA Sopkin will conduct a Lead and Copper Rule announcement media event in Loveland, CO. The event will take place at a school (TBD). Local media and officials will be invited.

**Region 9****Hot Topics****EPA Files Responsive Brief in Challenge to Palmdale Energy Project CAA PSD Permit**

On September 26, EPA filed its responsive brief in a challenge filed by the Center for Biological Diversity and other environmental groups to a Clean Air Act PSD permit issued by R9 for the Palmdale Energy Project, a new 645-megawatt combined-cycle natural gas-fired power plant to be located in Palmdale, CA.

**San Francisco Bay Microplastics Symposium**

On October 2, EPA attended the San Francisco Estuary Institute's Microplastics Symposium, which presented findings of a three-year comprehensive regional study of the presence of microplastics in the San Francisco Bay and adjacent National Marine Sanctuaries. The study indicated that: San Francisco Bay has high levels of microparticles in all media sampled; urban stormwater runoff contained over 100 times more microplastics than wastewater; and advanced filtration devices appear to lower microplastics concentrations from wastewater facilities.

**FY2019 Grant Awarded Accomplishments**

R9 awarded \$506,977,237 through 648 grant actions in FY19. Another year of success!

**Former Castle Air Force Base, Atwater, CA**

The Air Force (AF) has begun an emergency action to provide bottled water to two off-site residences with drinking water wells impacted by releases of PFOS and PFOA from the former Castle Air Force Base. The initial phase of sampling off-base private wells was completed in mid-September. Results indicate that two wells are impacted above the EPA drinking water health advisories (HA). The AF will begin a second phase of monitoring for private wells further downgradient.

**Anaconda Copper Mine (Yerington, NV)**

RPM and Tribal Drinking Water Section staff met with the Yerington Paiute Tribe regarding their drinking water system and the free bottled water program that the Superfund had been funding. The Tribe's drinking water system is operating very well and has met all drinking water standards for the past seven years, so R9 discussed the phasing-out of the free bottled water service.

**Clean Air Act SIP Actions**

R9 took the following actions on California SIP submittals: proposed approval of the plan for Imperial County to attain the 2008 ozone standard but for emission from Mexico and a demonstration that Imperial County in fact attained the 2008 ozone standard by its attainment deadline, except for emissions from Mexico; proposed limited approval and limited disapproval of a general permit rule for Placer County; proposed approval of a San Diego rule concerning adhesive material application operations; and final approval of Calaveras County's emission statement rule.

**R9 Smart Sectors, Davis, CA**

On October 1, RA Stoker hosted a very successful Smart Sectors event focused on agriculture. R9 Senior Management and national Smart Sectors staff were joined by farmers, ranchers, and association members for a roundtable discussion of environmental regulation and policy at the USDA offices in Davis, CA. The third Smart Sectors event in the R9 series will be concerned with mining.

**Upcoming Major Decisions and Events****Public Meeting on Proposed Kettleman Hills PCB Permit**

R9 will hold a public meeting the evening of October 10 in Kettleman City, CA, on the proposed PCB permit for the Chemical Waste Management Inc. Kettleman Hills Facility. A separate public hearing on the proposed permit will be held in mid-November.

**Region 10****Hot Topics**

None to report this week.

**Upcoming Major Decisions and Events****R10 Administrator Press Events (WA and OR)**

During the week of October 7, RA Hladick will participate in two major press events to amplify national EPA initiatives. On October 9, RA Hladick will participate with U.S. Senator Jeff Merkley and local elected officials in a ground breaking/loan closing ceremony for the more than \$600 million WIFIA loan to the City of Hillsboro/Tualatin Valley, OR. On October 10, RA Hladick will amplify the national Lead and Copper draft rule announcement by participating in an event with the Washington Department of Health in Olympia, WA.

**R10 Presents on Food Waste Prevention at Washington State Educators Conference (WA)**

On October 5, R10 staff will co-present with the Office of the Washington Superintendent of Public Instruction on food waste prevention in school meal programs and cafeterias at the Washington State Educators for Environment, Equity and Economy (E3) Conference. E3 Washington supports environmental and sustainability education for all Washington students. R10 works with schools on food waste prevention through the national Sustainable Materials Management program and R10's School Food Share program.

**Drinking Water Providers Partnership Announces Request for Proposals**

The Drinking Water Providers Partnership is inviting project proposals for 2020. The partnership includes R10, Forest Service Region 6, BLM, Oregon DEQ, Washington Department of Health, Geos Institute, WildEarth Guardians, and The Freshwater Trust. The watershed restoration funding opportunity is intended to restore and protect the health of watersheds to benefit aquatic and riparian ecosystems and community drinking water. The deadline for proposals is January 17, 2020

**R10 Hosts Community Workshops on Best Practices for Incorporating EJ into NEPA Analyses (WA)**

On October 5 and 19, R10 and the HQ Office of Environmental Justice will host workshops on NEPA for Puget Sound area communities concerned about environmental and health impacts from projects in the area. Topics will include NEPA basics and a presentation by the Washington Department of Ecology on its State Environmental Protection Act. The focus of the workshops will be how community members can engage in the environmental review processes and participate in environmental and public health decision-making.

**Contributor Review of Draft Columbia River Cold Water Refuge Plan (OR)**

On October 3, R10 released the draft Columbia River Cold Water Refuges Plan for contributor review. Report contributors will have the opportunity to provide additional input/comments until December 3. R10 prepared this draft in response to a 2015 NOAA biological opinion. The biological opinion called for the development of the plan to avoid a jeopardy determination related to temperature water quality standards that protect endangered salmonids in the Columbia River. This draft plan represents a four-year effort by EPA in collaboration with the States of Oregon and Washington, NOAA Fisheries, tribes, and others. The plan characterizes water temperatures and fish use of cold water refuges, assesses whether there are sufficient refuges to support migrating salmon, and outlines strategies to restore, enhance, and protect refuges in the future.

**U.S. Navy Arctic Ice Camp NPDES Permit Modification (AK)**

In response to a request from the U.S. Navy, R10 has developed a NPDES permit modification for the discharges from the Arctic Ice Camp. This modification will expand the area where the potential wastewater discharges may occur. The change in the permitted discharge area will allow the Navy flexibility to locate the camp on more stable multiyear ice, as well as accounting for increased ice movement during the six-week operational period. EPA issued a similar NPDES permit modification in 2017 and intends to complete this modification by the end of the calendar year, prior to the commencement of 2020 winter research activities.

## Office of Air and Radiation

### Hot Topics

#### **Packages for Signature**

- Federal Implementation Plan for Oil and Natural Gas Sources; Uintah and Ouray Indian Reservation in Utah (Region 8 Proposed Rule)
- Major Source Status of Ethanol Production Facilities (Petition Response and FRN)
- Clay Ceramics NESHAP (Final Rule)
- Title V Order: Mill Creek Generating Station (Petition Response)
- RFS 2020 (Supplemental Proposal)

#### **Packages at OMB for Review**

- Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule; RECEIVED DATE: 02/25/2019)
- Renewable Fuel Standard Program: Modification of Statutory Volume Targets / RFS Reset (Proposed Rule; RECEIVED DATE: 05/20/2019)
- Light Duty Greenhouse Gas Program Technical Amendments (Final Rule: RECEIVED DATE 8/19/2019)
- MON RTR (Proposed Rule: RECEIVED DATE 8/20/2019)
- Ambient Air Guidance (Final Guidance: RECEIVED DATE 9/29/2019)
- MATS RTR & Cost Review (Final Rule: RECEIVED DATE)
- NSR and Title V Adjacency Determinations (Guidance: RECEIVED DATE)
- Strat Ozone - Section 608 Refrigerant Management – Revisions (Final Rule: RECEIVED DATE)

#### **Packages Heading to OMB Soon**

- MATS Coal Refuse-Fired Units Review (Final Rule)

### Upcoming Major Decisions and Events

#### **SmartWay Awards**

Next week, EPA will honor 72 truck carriers, logistics providers, and freight shippers as industry leaders in supply chain environmental and energy efficiency with its annual SmartWay Excellence Awards at the 2019 American Trucking Associations Annual Management Conference & Exhibition in San Diego, CA. The awardees represent the top one to two percent of companies that participate in EPA's SmartWay Partnership and demonstrate how businesses in this important sector can save on fuel costs, shrink their emissions footprints and contribute to healthier air in the communities they serve.

#### **State Implementation Plan (SIP) Lean Guide**

This week, the SIP Lean Team anticipates sharing the SIP Lean Guide with state, local, and tribal air agencies for informal air agency review, with comments requested by October 31. Developed following a lean event, the document is focused on supporting early engagement between EPA and air agencies during the SIP development process.

#### **Children's Health Month**

During Children's Health Month, ORIA will deliver a series of technical assistance webinars to promote Indoor Air Quality (IAQ) in schools. The webinars are designed to deliver important content efficiently and keep stakeholders engaged for more in-depth learning.



**Office of Chemical Safety and Pollution Prevention****Hot Topics****Rulemakings at OMB**

- Confidential Business Information (CBI) Review Plan; Supplemental NPRM under TSCA § 8(b)(4), proposing revisions to existing and proposed substantiation requirements for certain CBI claims
- PFAS; Addition to TRI List of Chemicals – ANPRM to add certain per- and polyfluoroalkyl substances to the list of chemicals reportable under EPCRA § 313
- LCPFAC SNUR; Supplemental NPRM on part of a proposed significant new use rule issued under TSCA § 5(a)(2) for long-chain perfluoroalkyl carboxylate (LCPFAC) chemical substances

**Selected Rules/Guidance Out for Public Comment, by date comment period closes**

- October 11: Notice of Availability and Public Meetings: 1-Bromopropane (1-BP); Draft TSCA Risk Evaluation and TSCA Science Advisory Committee on Chemicals (SACC) Meetings
- October 11: NPRM: Significant New Use Rules on Certain Chemical Substances
- October 24: Notice of Availability; Pesticides; Interim Process for Evaluating Potential Synergistic Effects of Pesticides During the Registration Process
- October 28: NPRM; Regulation of Persistent, Bioaccumulative, and Toxic (PBT) Chemicals under TSCA § 6(h)
- November 13: Notice of Availability and Request for Comment: Proposed Low-Priority Substance Designation under TSCA
- November 22: Notice of Availability and Request for Comment: Proposed High-Priority Substance Designations under TSCA

**Paraquat Risk Assessments**

On October 16, the Office of Pesticide Programs (OPP) plans to release the paraquat draft human health and ecological risks assessments for a 60-day public comment. EPA found no dietary risks of concern associated with paraquat when it is used according to the label instructions. The draft human health risk assessment identifies potential risks to workers who apply paraquat or enter treated fields after application and to bystanders at the edge of the field from spray drift. The draft ecological risk assessment identifies potential risks to mammals, birds, terrestrial invertebrates, terrestrial plants, and algae. Following public comment, OPP will determine whether updates or revisions to the assessments are needed. OPP will also propose and request comment on additional risk mitigation measures, if necessary, in a 2020 Registration Review Proposed Interim Decision. OPP anticipates publishing the Interim Decision in late 2021. OPP has taken action over several years to ensure paraquat is used in a manner that is safe and consistent with the label directions and will continue to evaluate the effectiveness of these measures while completing the required registration review process.

**Upcoming Major Decisions and Events****Household and Commercial Product's Association (HCPA)**

OPP's Mike Goodis and Kerry Leifer will discuss the pesticide regulation process and give updates on recent registration actions at the HCPA Annual Pesticide Regulation Course on October 8.

**Tribal Pesticide Program Council (TPPC) at Yakama Nation**

OCSPP will meet with its tribal partnership group, the TPPC, October 8-10 in Toppenish, WA. AA Dunn will give program updates via video. Amanda Hauff (OSCP) will facilitate a session on tribal risk assessment scenarios, and Emily Ryan (OPP) and Carol Galloway (OECA) will provide updates on OPP & OECA actions. The TPPC assists tribes in building pesticide programs, providing education, and raising to EPA a broad range of tribal pesticide-related issues and concerns.

## **Office of the Chief Financial Officer**

### **Hot Topics**

#### **FY 2020 Continuing Resolution**

The President signed the FY 2020 Continuing Resolution that provides funding for the agency through November 21. OCFO is scheduled to load the CR budget on October 4, making the funds available to the agency's offices on October 5.

#### **2019 Enterprise Risk Profile**

Next week, the Acting CFO plans to send a memorandum to agency leadership announcing the EPA's 2019 Enterprise Risk Profile based on senior leader ranking results and describe next steps in addressing enterprise risks.

#### **Informational EPA Budget Overview**

OCFO is working to reschedule the informational EPA budget overview previously planned on October 1 for the Associate DA.

#### **Draft Fall Semiannual Report**

By October 4, program and regional offices should review the OIG's Draft Fall Semiannual Report for accuracy and update the Management Audit Tracking System to ensure that agreed to recommendations include a corrective action and planned completion date. The OIG typically releases its fall report publicly in November.

### **Upcoming Major Decisions and Events**

#### **Briefing the House Homeland Security and Governmental Affairs Committee Staff**

On October 8, OCFO, OMS, OGC and OCIR will brief the House Homeland Security and Governmental Affairs Committee staff regarding EPA's response to a governmentwide request for prior shutdown-related costs.

## Office of Congressional and Intergovernmental Relations

### Hot Topics

- October 7      Field hearing titled: “America’s Nuclear Past: Examining the Effects of Radiation in Indian Country” (Albuquerque, NM) Senate Indian Affairs Committee. EPA witness: David Gray, R6 DRA
- October 15     House Committee on Science, Space, and Technology’s Subcommittee on Investigations and Oversight will hold a field hearing in Bloomfield, New Jersey, entitled “Addressing the Lead Crisis Through Innovation and Technology.”

### Upcoming Major Decisions and Events

- October 9      Notification on Tualatin Valley and Hillsboro, OR WIFIA event w/OW
- October 9      Notification on Indiana Finance Authority WIFIA event w/OW

### **LGAC 2019 Membership**

OCIR is wrapping up the straw list of LGAC and SCAS candidates. The next step will be to submit to the Office of General Counsel and the Federal Advisory Committee Management Division (FACMD) review and sign off on balance and diversity of the proposed committee aligned with its Charter. The balance review is to ensure compliance with the Federal Advisory Committee Act (FACA).

### **LGAC Charter**

The LGAC Charter is due for renewal November 2019. The renewal process will begin as early as August for review and sign off by Office of General Counsel and Federal Advisory Committee Management Division. The Charter renewal package will have the revised Charter, membership information, and performance measures. Once completed, the Charter renewal will be reviewed by GSA and filed with Congress.

## Office of Enforcement and Compliance Assurance

### Hot Topics

#### **Jury Convicts Former Custom Carbon Processing President of CAA Violations**

On September 27, after a five-day trial, a jury in the District of Montana convicted Peter Margiotta, the former president and director of Custom Carbon Processing, Inc., of multiple violations of the Clean Air Act's risk management program after a 2012 explosion. The explosion at the company's oil processing plant in Wibaux injured three employees and caused extensive damage to the plant. Margiotta directed employees to accept shipments of highly volatile and flammable natural gas condensate into the operations despite repeated warnings from the plant's foreman that it was creating a dangerous situation. On December 29, 2012, during the offloading of natural gas condensate, vapors from the condensate filled the plant building and spread out the open bay doors where the truck delivering the condensate was located. The vapors reached an ignition source and caused an explosion.

### Upcoming Major Decisions and Events

#### **Visit to R3**

On October 8, AA Bodine and PDAA Larry Starfield will travel to R3 to meet with the Regional Administrator, Office of Regional Counsel, and Enforcement and Compliance Assurance Division.

## Office of General Counsel

### Hot Topics

*New York v. EPA*, No. 19-1019 (D.C. Cir.).

**New Decision:** In this litigation challenging the 2018 CSAPR Close-Out addressing remaining good neighbor obligations for the 2008 ozone NAAQS, the court granted the petitions for review from state and environmental petitioners challenging the EPA's rule for failing to fully address upwind states' good neighbor obligations by the next applicable attainment date in 2021. The court cited the same rationale as in its recent decision in *Wisconsin v. EPA*, No. 16-1406 (D.C. Cir. Sept. 30, 2019), which remanded *without* vacatur EPA's previous 2016 CSAPR Update rulemaking on this subject. The court vacated and remanded the CSAPR Close-Out but declined to set a deadline for EPA's action on remand.

*Blue Water Baltimore v. Wheeler*, No. 16-452 (D.D.C. Sept. 30, 2019).

**New Decision:** The court granted EPA's motion for summary judgment on plaintiffs' challenge to EPA's approval of Maryland's 2016 303(d) List (List). The plaintiffs alleged that EPA's approval was arbitrary and capricious because the state removed from its List impaired segments for which Total Maximum Daily Loads (TMDL) had been developed through the Chesapeake Bay TMDL process instead of an individualized "local" process. A memorandum opinion is to follow.

*NWEA v. EPA*, No. 19-1537 (W.D. Wash. filed Sept. 26, 2019).

**New Litigation:** Northwest Environmental Advocates filed a complaint alleging that EPA's approval of Washington's 2012 303(d) List was arbitrary and capricious in part because the state failed to assemble and evaluate all existing and readily available data. It alleges further that EPA is required to disapprove Washington's constructive submission of no 303(d) list since 2014.

*San Francisco Baykeeper v. EPA*, No. 19-05941 (N.D. Cal. filed Sept. 24, 2019).

**New Litigation:** Several groups are challenging EPA's March 1, 2019 negative jurisdictional determination (JD) for the Redwood City Salt Ponds site as arbitrary and capricious in violation of the Administrative Procedure Act. They argue that the 2019 negative JD ignored a draft affirmative determination from EPA Region 9. They asked the court to vacate the determination and direct EPA to issue a determination that the Salt Ponds are jurisdictional waters under the Clean Water Act. Another challenge to the JD was filed last week by the State of California in *California v. Wheeler*, No. 19-05943 (N.D. Cal. filed September 24, 2019).

### Upcoming Major Decisions and Events

**Oral Argument:** On October 7 the D.C. Circuit considers a challenge to EPA's final action entitled "Guidance on Significant Impact Levels [SILs] for Ozone and Fine Particles in the PSD Permitting Program" in *Sierra Club v. EPA*, No. 18-1167.

**Oral Argument:** On October 9 the Fifth Circuit considers a challenge to EPA's additional air quality designations for the 2015 Ozone NAAQS for the San Antonio, Texas, area in *State of Texas v. EPA*, No. 18-60606.

## Office of International and Tribal Affairs

### Hot Topics

#### **White House Indian Affairs and Tribal Relations Meeting**

The White House Office of Intergovernmental Affairs convened an interagency meeting to discuss upcoming tribal engagements, tribal policy priorities, and agency tribal accomplishments. The White House will attend the National Congress of American Indians and Alaska Federation of Natives conferences in October and the Native American Veterans Summit in November organized by the Veteran Affairs Administration. The White House asked agencies to share the Native American Heritage events that will be holding in November. The White House has identified the following tribal policy priorities: law enforcement and public safety; health care; cultural resources and religious heritage; military and veterans affairs; economic and rural development (opportunity zones); and infrastructure. They will put together an Agency Accomplishments document and would like a list of tribal accomplishments from each agency that, to the extent possible, are framed around these six policy priorities.

#### **CEC Meeting on Extreme Events Volunteer Observer Networks**

The Commission for Environmental Cooperation (CEC) hosted a meeting in Mexico City, Mexico, on the use of volunteer observer networks to address information gaps for extreme events. The meeting brought together governmental representatives from the US, Mexico, and Canada to address expansion of current networks under the project “*Using volunteer observer networks (VON) to monitor precipitation and wildfires*” funded under the CEC’s operational plan for 2019-2020. EPA’s Smoke Sense is one of the networks proposed for expansion. Participants appreciated the foundational features that make this network unique, including the two-way communication between users and stakeholders, the smoke and symptom reporting, the integrated health risk messaging, and the behavioral-change features. Mexico and Canada participants expressed enthusiastic support for the expansion of Smoke Sense in North America.

#### **Netherlands Delegation Visit on Vehicle Emissions**

A Netherlands government delegation visited EPA and met with representatives from OAR, OECA, and OITA to discuss vehicle emissions and areas of concern regarding certain Fiat Chrysler models. The Netherlands have been conducting analyses, gathering information, and meeting with manufacturers and other parties and are considering next steps to take with regard to a potential defeat device case. While EPA experts were unable to go into the specific details on the US case, they provided background on EPA’s process and procedures for vehicle certification and compliance in the US. EPA experts also referenced publicly available information that might be of interest. EPA experts also raised awareness of the International Transport Compliance Summit Network, its meeting in the UK last spring, and the planned meeting in South Korea next spring. European Union mobile source experts have regularly participated in this Network’s annual meetings, but to date the Netherlands have not been actively involved.

### Upcoming Major Decisions and Events

#### **G20 Marine Litter and Resource Efficiency Workshop**

OITA AA will lead the US delegation to Tokyo, Japan, October 8-11.

#### **G20 Global Network of the Committed Meeting**

OITA will participate in the US delegation to Dresden, Germany, October 15-17.

## Office of the Land and Emergency Management

### Hot Topics

#### **Coal Combustion Residuals (CCR)**

- CCR Phase 2 proposed rule (package 1) – The proposed rule was published in the FR on August 14, and the public comment period ends on October 15, 2019.
- CCR permitting NPRM – We are following up on comments received from OMB and interagency review.
- CCR litigation packages (package 2, parts A and B) – On part A, OLEM has been meeting with OMB regarding their comments. We anticipate part B going to OMB soon.
- The CCR litigation package is being coordinated with the Office of Water's ELG rule so that both rules can be signed on the same day and issued for public comment simultaneously.

#### **Clean Air Act 112(r) Risk Management Program (RMP)**

OMB/interagency review began on September 12. We anticipate receiving comments the week of October 7.

#### **Ongoing Major Superfund NPL Sites**

- We are working with R1 on the Housatonic River; R2 on Matteo, Maywood Chemical Co. and Woodbrook Road; R4 on Oak Ridge; R8 on Anaconda Smelter; and Region 10 on Portland Harbor and Quendall Terminal.
- The Matteo ROD and the Maywood ESD will be coming to the Administrator soon for approval.

#### **CERCLA 108(b) Financial Assurance (Next Three Sectors)**

Industry 1 was published in the FR on July 29. The public comment period ended September 27. We anticipate final agency review on the draft NPRMs for Industry 2 and Industry 3 to begin October 7.

#### **PFAS**

- PFOA and PFOS contaminated groundwater guidance. OLEM is developing potential options for next steps on the guidance in consideration of the public comments. We anticipate an option selection meeting taking place in October.
- Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM. The rule package was submitted to the Office of Policy on September 20 for OMB review. We anticipate a briefing for OMB and interagency reviewers next week.

### Upcoming Major Decisions and Events

#### **Sustainable Packaging Coalition (SPC)**

On October 9, Peter Wright will moderate a panel at SPC Advance 2019 in Denver, CO. The panel will focus on funding strategies for market development in the recycling industry.

#### **R8 Visit**

On October 9 and 10, Peter Wright and Steven Cook will meet with R8 staff in Denver.

#### **Federal Facility Excellence in Site Reuse Award Ceremony**

On October 10, Peter Wright will participate in this event at the Denver Federal Center.

## Office of Mission Support

### Hot Topics

#### **You Can Now Do So Much More With Your EPA-issued Mobile Device**

Beginning the evening of October 4, EPA-issued mobile device customers will have access to EPA's Intranet, Microsoft Office 365 Apps (Skype, SharePoint, OneDrive, Word, Excel, PowerPoint and OneNote), and People Plus. The agencywide launch of those capabilities will include a configuration change that will automatically connect all EPA-issued mobile devices, when on-site, to EPA's wireless network where available. When off-site, in order to access those capabilities, customers must first connect to EPA's network via the Pulse Secure app on their mobile device. The Office of Mission Support will send out quick reference guides to all EPA-issued mobile device customers with instructions on how to configure the Microsoft Office 365 apps and use the Pulse Secure app. They will also update the [Mobile Device](#) website.

#### **FY19 Agencywide Mandatory Training**

As of October 1, the agency is 94% complete with all mandatory training. Reports are provided on a weekly basis to all agency program offices and regions. The completion date for mandatory training courses was September 30.

### Upcoming Major Decisions and Events

#### **Hispanic Heritage Observance Month Event**

OMS will host a panel discussion for the observance of the 2019 Hispanic Heritage Month in the Rachel Carson Green Room on October 10 from 2:00 p.m.-3:00 p.m. Employees in the D.C. area are invited to attend and encouraged to attend this program in person. Live streaming will be available via [EPAtv](#) for those outside of the DC area.



**Office of Policy****Hot Topics****Recreation Economy for Rural Communities**

On October 7, in support of the Executive Order on Promoting Agriculture and Rural Prosperity in America, the Office of Community Revitalization, USDA, USFS, and the Northern Border Regional Commission will announce 10 communities selected to receive assistance to help revitalize their local economies through outdoor recreation.

**Smart Sectors**

On October 7, staff from the Smart Sectors program will join OW leadership for EPA's Animal Agricultural Discussion Group meeting, which will include farmers and producers, in Fayetteville, AR.

**Office of Environmental Justice**

On October 9, Matthew Tejada, Director of the Office of Environmental Justice, will give a lecture on environmental justice to Masters of Public Health students at the University of Maryland.

<b>Active Interagency Reviews from OMB</b>		
<b>Subject</b>		<b>OMB Due Date</b>
DOT/FAA NPRM: Remote Identification of Unmanned Aircraft Systems		10/04/2019
USDA/RUS FRM: Special Servicing of Telecommunications Programs Loans for Financially Distressed Borrowers		10/07/2019
USDA RUS IFRM: Rural Broadband Loans, Loan/Grant Combinations, and Loan Guarantees		10/07/2019
SBA FRM: Small Business HUBZone Program and Government Contracting Programs		10/09/2019
DOC/NOAA FRM: Shipping Act, Merchant Marine Act and Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) Provisions; Fishing Vessel, Fishing Facility and Individual Fishing Quota and Harvesting Rights Lending Program."		10/10/2019
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers		N/A
<b>Documents Sent to the OFR from September 26 – October 2, 2019</b>		
<b>FRL #</b>	<b>Title</b>	<b>Date Sent to FR</b>
10000-90-Region 3	Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology State Implementation Plan for Volatile Organic Compounds under the 2008 Ozone National Ambient Air Quality Standard	10-02-2019
10000-55-OMS	NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (Renewal)/ICR 1790.09	10-02-2019
10000-63-OLEM	Agency Information Collection Activities; Proposed Collection; Comment Request; RCRA Subtitle C Reporting Instructions and Forms	10-02-2019
10000-74-OA	Announcement of the Board of Directors for the National Environmental Education Foundation	10-02-2019
10000-83-OA	Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Updated CEQ-EPA Presidential Innovation Award for Environmental Educators and the President's Environmental Youth Awards Application (Revision)	10-02-2019
10000-95-Region 3	Delegation of Authority to the Commonwealth of Virginia to Implement and Enforce Additional or Revised National Emission Standards for Hazardous Air Pollutants Standards and New Source Performance Standards	10-02-2019
10000-75Region 4	Air Plan Approval; Tennessee; Infrastructure Requirements for the 2015 8-Hour Ozone National Ambient Air Quality Standard	10-02-2019
10000-94-OAR	National Emission Standards for Hazardous Air Pollutants: Integrated Iron and	10-02-2019

	Steel Manufacturing Facilities Residual Risk and Technology Review	
9998-64-OCSP	Significant New Use Rules on Certain Chemical Substances (19-3.F)	10-01-2019
9998-80-OCSP	Proposed Significant New Use Rule on Certain Chemical Substances; Partial Withdrawal (PMN P-13-270)	10-01-2019
9999-12-OCSP	Significant New Use Rules on Certain Chemical Substances; Technical Correction (17-1)	10-01-2019
9999-70-OCSP	Indaziflam; Pesticide Tolerances	10-01-2019
9999-88-OCSP	Revocation of Significant New Uses of Fatty Acid Amide	10-01-2019
9999-71-OCSP	Product Cancellation Order for Certain Pesticide Registrations	10-01-2019
10000-76-Region 7	Air Plan Approval; Missouri; Revocation of Kansas City Area Transportation Conformity Requirements Plans	10-01-2019
10000-71-OMS	Registration of Fuels and Fuel Additives – Requirements for Manufacturers”/EPA ICR No. 0309.16	10-01-2019
10000-77-Region 9	Proposed Administrative Settlement Agreement and Order on Consent for Removal Site Evaluation and Removal Action for the Offsite Operable Unit of the Triple Site, Sunnyvale, California	10-01-2019
10000-82-Region 9	Notice of Proposed CERCLA Administrative Settlement Agreement and Order on Consent for Southern Avenue Industrial Area Superfund Site, South Gate, California	10-01-2019
10000-80-OAR	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) Residual Risk and Technology Review	10-01-2019
9996-14-OCSP	Thiamethoxam; Pesticide Tolerances for Emergency Exemptions	09-30-2019
9996-15-OCSP	Clothianidin; Pesticide Tolerance for Emergency Exemptions	09-30-2019
9999-54-OCSP	Chlorantraniliprole; Pesticide Tolerances	09-30-2019
9999-57-OCSP	Cyromazine; Pesticide Tolerances	09-30-2019
9999-89-OCSP	Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities	09-30-2019
10000-66-Region 5	Air Plan Approval; Indiana; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS; Interstate Transport	09-30-2019
10000-62-OCSP	Registration Review; Paraquat Dichloride Draft Human Health and Ecological Risk Assessments; Notice of Availability	09-30-2019
10000-73-Region 4	Air Plan Approval; Tennessee; Knox County Miscellaneous Revisions	09-30-2019
10000-29-OCSP	Antimicrobial Performance Evaluation Program (APEP): A (Draft) Risk-Based Strategy to Ensure the Effectiveness of Hospital-Level Disinfectants; Notice of Availability and Request for Comments	09-27-2019
10000-70-Region 5	Public Water System Supervision Program Approval for the State of Minnesota	09-27-2019
10000-65-Region 9	Clean Air Plans; 2008 8-Hour Ozone Nonattainment Area Requirements; Phoenix-Mesa, Arizona	09-27-2019
9999-49-Region 9	Approval of Air Quality Implementation Plans; California; South Coast Air Basin; 1-Hour and 8-Hour Ozone Nonattainment Area Requirements	09-26-2019
10000-48-Region 8	Approval and Promulgation of Implementation Plans; Montana; Regional Haze 5-Year Progress Report State Implementation Plan	09-26-2019
10000-67-Region 5	Air Plan Approval; Wisconsin; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS; Interstate Transport	09-26-2019
10000-61-Region 8	Settlement Agreement For Past Costs: State Painting Site, West Valley City, Utah	09-26-2019
10000-72-OAR	Proposed Information Collection Request; Comment Request; Implementation of the Fine Particulate Matter (PM2.5) National Ambient Air Quality Standards (Renewal)	09-26-2019

## Office of Research and Development

Hot Topics

## ORD Reorganization

ORD's reorganization went into effect on September 29. We are pleased to report that we didn't skip a beat in developing the science to support the Agency's mission to protect health and the environment. Thanks to all for your support but particularly to OMS and OCFO for enabling the reorganization to happen in record time.

#### **ORD Scientists Test Remote Sensing Instrumentation in NASA Aircraft**

Last week, ORD scientists flew in NASA aircraft over the Duke Forest research site in North Carolina while operating EPA's Transportable Environmental Resource Observation Suite (TEROS) remote sensing system. TEROS is a portable and autonomous system that dramatically lowers the cost of remote sensing data acquisition, and it can be installed on common Cessna aircraft in less than an hour. The scientists used TEROS to measure land surface reflectance and tree canopy structure using a combination of imaging spectrometers, mapping and thermal cameras. EPA and NASA have been working together for over 20 years developing atmospheric measurement and remote sensing capabilities.

#### **Open STAR Request for Applications**

EPA announced a funding opportunity titled: 17th Annual P3 Awards: A National Student Design Competition Focusing on People, Prosperity and the Planet. The RFA is open for applications on October 1 through November 19.

#### **Upcoming Major Decisions and Events**

##### **Sharing Smoke Sense Information with Brazil**

On October 7, the Smoke Sense project team will meet with OITA to discuss sharing Smoke Sense information with Brazil.

##### **Mercury Salts IRIS Assessment Plan**

On October 8, ORD expects to post the Mercury Salts Integrated Risk Information System (IRIS) Assessment Plan for a 30-day public comment period. The public webinar is scheduled for December 5.

##### **IRIS Program Outlook**

On October 8, ORD expects to publish an updated IRIS Program Outlook document.

**Office of Water****Hot Topics****Grant Funding to Benefit Small Water Systems**

This week, EPA announced a request for applications (RFA) for \$15 million in grant funding that will be awarded to nonprofit organizations to provide training and technical assistance to small drinking water systems, small wastewater systems and private well owners. Small water systems often face financial and operational challenges including aging infrastructure, workforce shortages, increasing costs and declining rate bases. The application period for the grant is open until November 14.

**Partnership to Reduce Childhood Lead Exposure at Schools and Childcare Facilities**

This week, EPA anticipates announcing a Memorandum of Understanding (MOU) on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities. This new MOU provides a framework for a coordinated approach among 14 critical partners across the federal government, tribes, water utilities, and the public health community. The commitments of the MOU support the *Lead Action Plan*, which provides a blueprint for reducing lead exposure and associated harms by working with a range of stakeholders, including states, tribes, and local communities, along with businesses, property owners and parents. October is Children's Health Month. This announcement highlights EPA's work to support Lead Action Plan and protecting children's health.

**Upcoming Major Decisions and Events****Indiana Finance Authority WIFIA Loan Closing**

Next week, EPA will announce a \$436 million WIFIA loan with the Indiana Finance Authority, including the largest initial disbursement under WIFIA to date. This loan will help fund dozens of projects in communities across the state, including in rural areas. The announcement will be made at an event attended by the Administrator along with Indiana Governor Eric Holcomb. Event in Indianapolis, IN. Open press.